



PATENT  
ATTORNEY DOCKET NO.: 040894-5994

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Hideaki FUNAKOSHI, et al.	)	Confirmation No.: 3093
	)	
Application No.: 10/761,386	)	Group Art Unit: 2627
	)	
Filed: January 22, 2004	)	Examiner: Vanessa V. Coleman
	)	
For: OPTICAL PICKUP	)	<b>Mail Stop AF</b>

**Mail Stop AF**  
Commissioner of Patents  
U.S. Patent and Trademark Office  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(c) but on or before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), a fee of \$180.00, as specified by § 1.17(p) is due for filing this IDS. The Commissioner is hereby authorized to charge this \$180.00 fee to Deposit Account No. 50-0310.

Pursuant to 37 C.F.R. § 1.97(e)(1), each item of information contained in this IDS was first cited in an Office Action from the Japanese Patent Office in a counterpart foreign application on February 7, 2008, and not more than three months prior to the filing of this IDS.

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A copy of the Japanese Office Action with a partial translation and the listed references cited therein, are enclosed for the Examiner's consideration.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

The following is a concise statement of relevance of the non-English language documents listed:

- a. JP2002-342962: In addition to the Japanese Office Action, the relevance of this document can be understood from the attached English-language abstract and the figures therein.
- b. JP2002-298402: In addition to the Japanese Office Action, the relevance of this document can be understood from the attached English-language abstract and the figures therein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that any of the listed documents does not constitute "Prior Art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit  
Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR  
EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

Robert J. Goodell  
Reg. No. 41,040

Dated: March 11, 2008

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